

# Court of Appeals, State of Michigan

## ORDER

Robert Kenneth Burkowski v Andrew Leone

Michael J. Kelly  
Presiding Judge

Docket No. 299206

Patrick M. Meter

LC No. 2009-004506-NM

Donald S. Owens  
Judges

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On the Court's own motion, in lieu of dismissing the claim of appeal for lack of jurisdiction because the April 28, 2010 order, which does not dispose of the claims in this case, is not a final order appealable of right, see MCR 7.202(6)(a)(i); MCR 7.203(A), the claim of appeal is treated as an application for leave to appeal.

Within 56 days of the date of this order, appellant shall provide to the Clerk of this Court five copies of a brief in support of the application for leave to appeal conforming to MCR 7.212(C), proof of service of the supporting brief on all other parties to this case, and a copy of any appropriate transcripts as provided by MCR 7.205(B)(4) or an appropriate substitute for the filing of transcripts as provided by MCR 7.205(B)(4). Any other party in the case may file an answer to the supporting brief within 21 days of service by appellant as provided by MCR 7.205(C). Thereafter, decision on the application will proceed under MCR 7.205(D).

Failure to timely comply with this order may result in dismissal of the appeal.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 07 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk